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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/817,095	04/02/2004	Sung-Oh Hwang	678-1431	2126
28249	7590	10/20/2005	EXAMINER	
DILWORTH & BARRESE, LLP 333 EARLE OVINGTON BLVD. UNIONDALE, NY 11553			NGUYEN, HUY D	
			ART UNIT	PAPER NUMBER
			2681	

DATE MAILED: 10/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/817,095

Applicant(s)

HWANG ET AL.

Examiner

Huy D. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,5,6 and 9 is/are rejected.
- 7) ☒ Claim(s) 3,4,7 and 8 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-4 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, line 8: it is unclear what “determining whether a paging signal associated with the broadcast service” means. The examiner will assume it reads “determining whether there is/exists a paging signal associated with the broadcast service”.

Claims 2-4 are rejected as being dependent on the indefinite base claim 1.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-2, 5-6, 9 are rejected under 35 U.S.C. 102(e) as being anticipated by

Willenegger et al. (US 2003/0207696 A1).

Regarding claims 1 and 5, Willenegger et al. teaches a method for receiving control information of a specific broadcast service at UE (User Equipment) in a mobile communication system including at least one UE (see the Abstract), a plurality of cells containing the at least one UE, and a RNC (Radio Network Controller) (see paragraph [0043]) for managing at least one of the plurality of cells and providing other broadcast services via the plurality of cells, comprising the steps of:

- a) checking individual paging indicator channels of the at least one UE, and determining whether there exists a paging signal associated with the broadcast service (see paragraph [0083]);
- b) if the paging signal associated with the broadcast service is detected, receiving the paging signal (see paragraph [0083]);
- c) identifying paging information including ID (MBMS Identifier) information (e.g., the control information informs the UE what services are available, the physical channels on which the services are transmitted – see [0245]) allocated to differentiate between the specific broadcast service and the other broadcast services and a paging response indicator (e.g., the UE may also simply signal that it is starting to receive certain services – [0245]) for determining a transmission channel scheme associated with the specific broadcast service (see paragraphs [0125] to [0132]); and
- d) based on the paging response indicator, establishing a connection set-up between the at least one UE and the RNC (see paragraphs [0245] to [0247]).

Regarding claims 2, 6, Willenegger et al. teaches the method as set forth in claim 1, wherein the at least one UE transmits a radio link control connection request message to the RNC when the paging response indicator associated with the broadcast service is set to an ON

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value (e.g., obtaining the AS and NAS MBMS control information) (see paragraph [0245], [0247]).

Regarding claim 9, Willenegger et al. teaches the method as set forth in claim 5, wherein the RNC time-division-processes the paging information associated with the predetermined broadcast service and the control information associated with the predetermined broadcast service, and transmits the time-division results to the at least one UE over an MCCH (Multimedia Broadcasting/Multicast Service (MBMS) Control CHannel) (see [0026]).

Allowable Subject Matter

5. Claims 3-4, 7-8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding claims 3 and 7, the closest prior arts, Willenegger et al. (US 2003/0207696 A1) and Paratainen et al. (U.S. Patent No. 6,795,419), either singularly or in combination, fail to teach the method as set forth in claim 1, wherein the RNC receives response messages from the at least one UE, depending on the paging response indicator, and establishes a DCCH (Dedicated Control Channel) connection mode when a number of the at least one UE that transmitted the response messages is less than a predetermined value.

Regarding claims 4 and 8, the closest prior arts, Willenegger et al. (US 2003/0207696 A1) and Paratainen et al. (U.S. Patent No. 6,795,419), either singularly or in combination, fail to teach the method as set forth in claim 1, wherein the RNC receives the response messages, and establishes an MCCH (Multimedia Broadcasting/Multicast Service (MBMS) Control CHannel)

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connection mode when a number of the at least one UE that transmitted the response messages is higher than a predetermined value.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Paratainen et al. (US 2003/0174645 A1) teaches wireless telecommunications system using multislot channel allocation for multimedia broadcast/multicast service.


Contact Information

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huy D. Nguyen whose telephone number is 571-272-7845. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HN
Huy Nguyen


JOSEPH FEILD
SUPERVISOR